

FILED
DISTRICT COURT OF GUAM

APR 04 2008 *chs*

JEANNE G. QUINATA
Clerk of Court

LEONARDO M. RAPADAS

United States Attorney

MIKEL W. SCHWAB

Assistant U.S. Attorney

108 Hernan Cortez Ave.

Sirena Plaza, Ste. 500

Hagatna, Guam 96910

Tel: (671) 472-7332/7208

Fax: (671) 472-7334/7215

JEFFREY S. BUCHOLTZ

Acting Assistant Attorney General

R. MICHAEL UNDERHILL

Attorney in Charge, West Coast Office

Torts Branch, Civil Division

CHAD KAUFFMAN

Trial Attorney

Torts Branch, Civil Division

U.S. Department of Justice

450 Golden Gate Avenue, Room 7-5395

P.O. Box 36028

San Francisco, CA 94102-3463

Telephone: (415) 436-6648; (415) 436-6645

Facsimile: (415) 436-6632

E-mail: mike.underhill@usdoj.gov; chad.kauffman@usdoj.gov

Attorneys for Plaintiff

United States of America

DISTRICT COURT OF GUAM

TERRITORY OF GUAM

UNITED STATES OF AMERICA

Plaintiff,

v.

MARWAN SHIPPING & TRADING CO.,
FIVE SEAS SHIPPING CO., LLC, and S.J.
GARGRAVE SYNDICATE 2724,

Defendants.

S.J. GARGRAVE SYNDICATE 2724,

Third-Party Plaintiff,

v.

Civil Case No. 06-00011

IN ADMIRALTY

NOTICE OF PROPOSED
SETTLEMENT

NOTICE OF PROPOSED SETTLEMENT – CIVIL NO. 06-00011

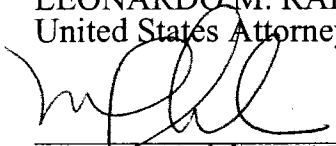
1 NAVIGATORS INSURANCE CO., LLC,)
2 Third-Party Defendant.)
3)
4 AND CROSS-CLAIMS, COUNTERCLAIMS.)
5)

6 The United States advises the Court that a proposed settlement has been reached that
7 would resolve all claims by and between the parties, thereby obviating any further
8 proceedings before the Court other than submission of a final Order of Dismissal.

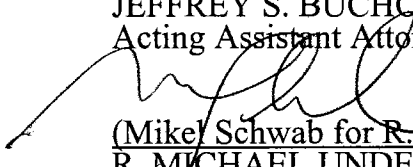
9 The United States respectfully requests that in order to secure all necessary settlement
10 authority of the relevant parties' principals with respect to the terms of the settlement and
11 proposed dismissal, all presently scheduled pretrial and trial dates be taken off calendar,
12 including the Preliminary Pretrial Conference set for April 7, 2008, at 9:00 a.m. Assuming
13 that the settlement is consummated, it is believed that the proposed Order of Dismissal
14 reasonably can be filed no later than 30 days hereafter.

15 Respectfully Submitted,

16 LEONARDO M. RAPADAS
17 United States Attorney

18 
19 MIKEL W. SCHWAB
Assistant U.S. Attorney

20 JEFFREY S. BUCHOLTZ
21 Acting Assistant Attorney General

22 
23 (Mikel Schwab for R. Michael Underhill)
24 R. MICHAEL UNDERHILL
25 Attorney in Charge, West Coast Office
26 Torts Branch, Civil Division

27 Attorneys for Plaintiff United States of America
28

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 4, 2008, I served a copy of the foregoing
NOTICE OF PROPOSED SETTLEMENT and this Certificate of Service by first-class mail,
postage prepaid, to:

Forrest Booth
Ryan Donlon
Severson & Werson
One Embarcadero Center, 26th Floor
San Francisco, CA. 94111


Thomas M. Tarpley Jr.
Tarpley & Moroni LLP
Bank of Hawaii Building
134 West Soledad Ave., Suite 402
Hagatna, Guam 96910

Lawrence Teker
Teker Torres & Teker
Suite 2-A, 130 Aspinall Avenue
Hagatna 96910-5018, Guam

David Ledger
Carlsmith Ball LLP
Bank of Hawaii Building, Suite 401
134 West Soledad Avenue, P.O. Box BF
Hagatna, Guam 96932-5027

John Powell
Cairncross & Hempelmann, P.S.
524 Second Ave., Ste. 500
Seattle, WA 98104-2323

Stan Gibson
Gibson Robb & Lindh LLP
100 First Street, 27th Floor
San Francisco, CA 95105


JACQUELINE EMMANUEL
ADMINISTRATIVE ASSISTANT